

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Applicants:

Pakkert et al.

AP20 Rec'd USPTO 20 JAN 2006

National Stage Application Number:

National Stage Filing Date:

January 20, 2006

Based on:

International Application Number: PCT/NL2004/000513

International Filing Date: July 15, 2004

Title: PRESSURE REGULATOR FOR CONTAINER FOR CARBONATED DRINK

STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. SECTION 1.10

This correspondence is being deposited with the United States Postal Service on January 20, 2006 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number ER 059 675 192 US addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## INFORMATION DISCLOSURE STATEMENT

This Information Disclosure Statement (hereinafter sometimes referred to as "IDS") is submitted in accordance with 37 C.F.R. §§1.97 and 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 C.F.R. § 1.97, as it is filed:

(Check one of the boxes opposite A-D)

☒ A. within three months of the filing date of the above-identified national application or within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in the above-identified international application.

☐ B. before the mailing date of a first office action on the merits or before the mailing date of a first office action after the filing of a request for continued examination (RCE) under 37 C.F.R. § 1.114.

☐ C. after the times set forth in (A) and (B) above, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a notice of allowance under 37 C.F.R. §1.311, and the necessary statement pursuant to 37 C.F.R. §1.97(e) appears below (see box "i") or the necessary fee is enclosed (see box "ii" below).

(check one of the boxes opposite "i" or "ii" below)

☐ i. (check the applicable statement)

☐ I, the undersigned, hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

☐ I, the undersigned, hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

☐ ii. A check for the fee set forth in 37 C.F.R. §1.17(p), presently believed to be \$ 180.00, is enclosed.

☐ D. after the times set forth in (A), (B), and (C) above, but before payment of the issue fee, since Applicant petitions for the consideration of this Information Disclosure Statement by a petition enclosed herewith pursuant to 37 C.F.R. §1.97(d)(2), a check for the petition fee set forth in 37 C.F.R. §1.17(i), presently believed to be \$ 130.00, is enclosed, and the necessary statement pursuant to 37 C.F.R. §1.97(e) appears below: (check the applicable statement)

☐ I, the undersigned, hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

☐ I, the undersigned, hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

2. In accordance with 37 C.F.R. §1.98(a)(1), this IDS includes a list on form PTO-1449 of all patents, publications, or other information submitted for consideration by the Office, incorporated into this IDS as an attachment hereto. Pursuant to 37 C.F.R. §1.98(b): (i) each U.S. patent listed is identified by patentee, patent number, and issue date; (ii) each foreign patent or published foreign patent application is identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application; and (iii) each publication is identified by author (if any), title, relevant pages of the publication, date, and place of publication. A legible copy of each document listed is attached and incorporated into this IDS, except that no copy of any U.S. patent application is included pursuant to 37 C.F.R. §1.98(a)(2)(iii) and except as explained below. (check the boxes opposite A and/or B and fill in blanks, if appropriate)

☐ A. Document(s) \_\_\_\_\_ is (are) substantively cumulative to document(s) \_\_\_\_\_, and, in accordance with 37 C.F.R. §1.98(c), only a copy of each of the latter document(s) is (are) attached.

☐ B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon for an earlier filing date under 35 U.S.C. §120: [insert application numbers and filing dates of prior applications]

These documents are identified by attaching hereto copies of the forms PTO-892 and/or PTO-1449 from the files of the prior application(s) and Applicant requests that they be considered and made of record in this application in accordance with 37 C.F.R. §1.98(d). Pursuant to 37 C.F.R. §1.98(d), copies of these documents need not be provided with this IDS. (check paragraphs 3 and/or 4, if applicable).

☒ 3. Documents DE 20,115,158 U; JP 5,296,397; NL 1,012,922C; NL 1,016,688 C; and NL 1,019,054C are not in the English language. In accordance with 37 C.F.R. §§1.98(a)(3), 1.98(c), it is stated that: (check the applicable statement(s))

☐ English translation(s) of the document(s) \_\_\_\_\_ (or of the pertinent portions thereof) is (are) enclosed and, thus no concise explanation of their relevance is required, (see M.P.E.P., §609, p. 600-92).

☐ English-language equivalent(s) of the document(s) \_\_\_\_\_ (or of the pertinent portions thereof) which is (are) in fact translation(s) of the document(s) is (are) enclosed.

☐ The attached English-language version of a search report or other action by a foreign patent office in a counterpart foreign application which cites document(s) \_\_\_\_\_ and which indicates the degree of relevance found by the foreign office is submitted to satisfy the requirement for a concise explanation of the relevance of the document(s), (see M.P.E.P., §609, p. 600-93).

☒ A concise explanation of the relevance of document JP 5,296,397 is set forth as follows:

JP 5,296,397 was cited in the International Search Report of the present international application;

☒ A concise explanation of the relevance of documents DE 20,115,158 U; NL 1,012,922C; NL 1,016,688 C; and NL 1,019,054C can be found on pages 1, 3-5, and 7, respectively, of the specification of the present international application, with:

U.S. Patent Number US 6,820,775 B2 corresponding to DE 20,115,158 U;

U.S. Patents Numbers US 6,412,668 B1; US 6,415,963 B1; and US 6,745,922 B1 being in the patent family of NL 1,012,922C;

Published U.S. Patent Application Number US 2004/0050879 A1 corresponding to NL 1,016,688 C; and

U.S. Patent Number US 6,824,017 B2 corresponding to NL 1,019,054C.

☐ A concise explanation of the relevance of document(s) \_\_\_\_\_ can be found on the attached sheet.

[X] 4. Other information being provided for the Examiner's consideration follows:

related international applications WO 2005/007559 A2 and WO 2005/012157 A1 have the same international applicant, the same inventors, and the same international filing date, and are in the same general field of art of the present invention in the present intentional application.

**IAP20 Rec'd PCT/PTO 20 JAN 2006**

5. In accordance with 37 C.F.R. §§1.97(g), 1.97(h), the filing of this IDS shall not be construed as a representation that a search has been made or as an admission that information cited in this IDS is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b). Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

6. Please charge any deficiency or other fees or credit any refund or overpayment to Deposit Account No. 01-0035.

Respectfully submitted,



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Registration number 36,223  
Attorney for applicants

Date: January 20, 2006

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AP20 RECEIVED 20 JAN 2006

Form PTO-1449		PTO/SB/08A		Application Number <b>207,366,061</b>	
<b>LIST OF ITEMS OF INFORMATION CITED BY APPLICANT</b> (accompanying Information Disclosure Statement and copies of items, if required)				Filing Date 01/20/2006	
				First Named Inventor Pakkert	
				Art Unit	
				Examiner Name	
Sheet 1	of 2			Attorney Docket Number 207,434	
<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Document Number listing Number and Kind Code (if known)	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited U.S. Document		Pages, Columns, or Lines, Where Relevant Passages or Figures Appear
	US 2,134,852	11-01-1938	Bogan		
	US 3,024,800	03-13-1962	Lewis		Column 4, lines 41-69; FIGS. 3-4
	US 4,402,429	09-06-1983	Vanden Driessche		Column 1, lines 57-65; Column 2, lines 39-65; FIGS. 1-5
	US 6,412,668 B1	07-02-2002	Vlooswijk et al.		
	US 6,415,963 B1	07-09-2002	Vlooswijk et al.		
	US 6,745,922 B1	07-08-2004	Vlooswijk et al.		
	US 6,820,775 B2	11-23-2004	Meike et al.		
	US 6,824,017 B2	11-30-2004	Sluijter		
	US 2004/0050879 A1	03-18-2004	Vlooswijk et al.		
<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Document Number listing Country Code, Number, and Kind Code (if known)	Publication Date MM-DD-YYYY	Document in English ?		Pages, Columns, or Lines, Where Relevant Passages or Figures Appear
			Yes	No	
<b>NON-PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Name of the author (if known) in capital letters, title of the document, name or title of the source of the document, date of publication, pages, volume and issue numbers, publisher, and city and/or country where published				
	International Search Report for PCT/NL2004/000513, dated March 14, 2005.				
Examiner Signature			Date Considered		
*Examiner: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.					

1AP20103600000 20 JAN 2006

Form PTO-1449		PTO/SB/08A		Application Number <b>10/566061</b>	
<b>LIST OF ITEMS OF INFORMATION CITED BY APPLICANT</b> (accompanying Information Disclosure Statement and copies of items, if required)				Filing Date	
				01/20/2006	
				First Named Inventor	
				Pakkert	
				Art Unit	
				Examiner Name	
Sheet 2		of 2		Attorney Docket Number 207,434	
<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Document Number listing Number and Kind Code (if known)	Publication Date MM-DD-YYYY	Patentee or Applicant of Cited U.S. Document		Pages, Columns, or Lines, Where Relevant Passages or Figures Appear
<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials*	Document Number listing Country Code, Number, and Kind Code (if known)	Publication Date MM-DD-YYYY	Document in English ?		Pages, Columns, or Lines, Where Relevant Passages or Figures Appear
			Yes	No	
	DE 20,115,158 U	02-14-2002	Abstract Only	✓	
	JP 5,296,397	11-09-1993	Abstract Only	✓	Abstract
	NL 1,012,922 C	06-19-2000	Abstract Only	✓	
	NL 1,016,688 C	05-24-2002	Abstract Only	✓	
	NL 1,019,054 C	03-31-2003	Abstract Only	✓	
	WO 2005/007559 A2	01-27-2005	✓		
	WO 2005/012157 A1	02-10-2005	✓		
<b>NON-PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Name of the author (if known) in capital letters, title of the document, name or title of the source of the document, date of publication, pages, volume and issue numbers, publisher, and city and/or country where published				
Examiner Signature			Date Considered		
*Examiner: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.					